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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Thomas Koehler

Serial No: 09/786,072 Filing Date:

Title: REACTION CHAMBERS COATED WITH DEFINED
CONCENTRATIONS OF NUCLEIC ACIDS, METHOD FOR THE
PRODUCTION AND USE THEREOF

May 2, 2001

Attorney's Docket No.: WEH204

TRANSMITTAL LETTER

Hon. Commissioner of Patents and Trademarks
BOX PCT
Washington, D.C. 20231

SIR:

Transmitted herewith for filing is:

- (X) Response to the Notification of Missing Requirements Under 35 U.S.C 371
- (X) Copy of the Notification of Missing Requirements Under 35 U.S.C 371 mailed on April 25, 2001
- (X) Copy of Declaration and Power of Attorney for Patent Application
- (X) Copy of check 2706 in the amount of \$65.00 to cover fee
- (X) Copy of Transmittal Letter including Express Mail Certification executed on March 14, 2001
- (X) Copy of Express Mail Label No. TB 417 242 551 US showing the "date-in" as 03/14/01,
- (X) Copy of postcard stamped by the U.S. Patent and Trademark Office on March 14, 2001.
- () Enclosed is a check to cover the fee in the amount of \$_____.
- (X) The applicant hereby petitions the Commissioner of Patents and Trademarks to extend the time for response to any Office Action outstanding in the above captioned matter as necessary to avoid abandonment of the application. Please charge my deposit account No.11-0224 in the amount required to cover the cost of the extension. Any deficiency or overpayment should be charged or credited to the above account.
- (X) The Commissioner is hereby authorized to charge any fees under 35 U.S.C. 1.16, and 1.17, after a mailing of a Notice of Allowance under 35 USC 1.18 or any additional fees which may be required during the entire pendency of the application, or credit any overpayment, to

S.N.: 09/786,072

May 2, 2001

page 1

Acct. No.11-0224. A duplicate copy of this sheet is enclosed. If and only if account funds should be insufficient, immediately contact our associate, Lisa Zumwalt, at (703)415-0579, who will pay immediately to avoid deprivation of rights.

() Please charge my Deposit Account No.11-0224 in the amount of \$_____. A duplicate copy of this sheet is enclosed.

A signature or signatures required for the above recited document(s) is (are) provided herebelow. Such signature(s) also provide(s) ratification for any required signature appearing to be defective in the above recited document(s).

Horst M. Kasper

Horst M. Kasper, 13 Forest Drive, Warren, N.J.07059
Reg. No. 28,559 Tel.(908)757-2839

MAIL CERTIFICATION: I hereby certify that the correspondence attached hereto is being deposited with the United States Postal Service in a ~~first class~~ envelope is addressed to: Commissioner of Patents and Trademarks, Washington, D.C. 20231, **15 MAY 2001**

Signature: *Horst M. Kasper* on _____ Date: **15 MAY 2001**

*%Pc11:d:trans(Weh204T3(May 2, 2001(sp

* *Express Mail, Label No.: TB17361723505*

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Thomas Koehler

Serial No: 09/786,072 Art Unit:

Filing Date:

Title: REACTION CHAMBERS COATED WITH DEFINED
CONCENTRATIONS OF NUCLEIC ACIDS, METHOD FOR THE
PRODUCTION AND USE THEREOF

Examiner:

May 2, 2001

Attorney's Docket: WEH204

RESPONSE TO THE NOTIFICATION OF MISSING REQUIREMENTS
UNDER 35 U.S.C. 371

Hon. Commissioner of Patents and Trademarks
Box PCT
Washington, D.C. 20231

SIR:

This is in response to the Notification of Missing Requirements under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US) mailed on April 25, 2001 and setting a period for response expiring on June 25, 2001.

The Notification of Missing Requirements under 35 U.S.C. 371 states that the following items must be furnished within the time period set forth in said Notification in order to complete the requirements for acceptance under 35

U.S.C. 371:

- Oath or Declaration of the inventors, in compliance with 37 CFR 1.63, identifying the application by International application number and international filing date;
- Surcharge for providing the oath or declaration later than appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)).

Applicant has acted in regard to the missing requirements and the oath or declaration accompanied by check number 2706 in the amount of \$65.00 was mailed by Express Mail, Express Mail Label No. TB 417 242 551 US, on March 14, 2001, where the receipt of this filing was acknowledged by the Mail Room of the U.S. Patent and Trademark Office by the date of March 14, 2001 stamped onto a return postcard. Photocopies of the documents mentioned above are enclosed.

Photocopies of the following documentary evidence that support a submission of the aforementioned items to the United States Patent and Trademark Office on March 14, 2001 are enclosed with the present response:

- 1) Transmittal Letter including Express Mail Certification executed on March 14, 2001


- 2) Express Mail Label No. TB 417 242 551 US showing the "date-in" as 03/14/01,
- 3) postcard stamped by the U.S. Patent and Trademark Office on March 14, 2001.

A copy of the Notification of Missing Requirements Under 35 U.S.C 371 mailed on April 25, 2001 is enclosed herewith.

Respectfully requested,

Thomas Koehler

By:



Horst M. Kasper, his attorney,
13 Forest Drive, Warren, N.J. 07059
Tel. (908) 757-2839 Fax: (908) 668-5262
Reg.No. 28,559; Docket No.: WEH204

*%remail(WEH204R4(May 2, 2001(sp



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents, Box PCT
United States Patent and Trademark Office
Washington, D.C. 20231
www.uspto.gov

U.S. APPLICATION NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
09/786072	KOEHLER	WEH 204
INTERNATIONAL APPLICATION NO.		
PCT/DE99/02715		

HORST M KASPER
13 FOREST DRIVE
WARREN, NJ 07059 5832

I.A. FILING DATE	PRIORITY DATE
27 AUG 99	28 AUG 98

DATE MAILED: 25 APR 2001

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

1. The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as ☐ a Designated Office (37 CFR 1.494) ☒ an Elected Office (37 CFR 1.495):
- | | |
|--|--|
| <input checked="" type="checkbox"/> U.S. Basic National Fee. | <input type="checkbox"/> Indication of Small Entity Status. |
| <input checked="" type="checkbox"/> Copy of the international application. | <input checked="" type="checkbox"/> Translation of the international application into English. |
| <input type="checkbox"/> Oath or Declaration of inventors(s). | <input type="checkbox"/> Translation of Article 19 amendments into English. |
| <input type="checkbox"/> Copy of Article 19 amendments. | <input checked="" type="checkbox"/> Other: SEARCH REPORT/REF., PRE-AMEND, INFO. DISCLOSURE |
| <input checked="" type="checkbox"/> Priority Document. | |
| <input checked="" type="checkbox"/> The International Preliminary Examination Report in English and its Annexes, if any. | |
| <input checked="" type="checkbox"/> Translation of Annexes to the International Preliminary Examination Report into English. | |
2. ☐ Applicant has requested early processing under 35 U.S.C. 371(f) but has not filed the following indicated items and/or the indicated items in paragraph 3 below. The Basic National Fee and the copy of the international application must be filed prior to 20 or 30 months from the priority date to avoid abandonment.
- ☐ U.S. Basic National Fee. ☐ Copy of the international application.
3. The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:
- ☐ a. Translation of the application into English. A processing fee will be required if submitted later than the appropriate 20 or 30 months from the priority date.
- ☐ The current translation is defective for the reasons indicated on the attached Notice of Defective Translation.
- ☐ b. Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(f)).
- ☒ c. Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), properly identifying the application (preferably by the International application number and international filing date). A surcharge will be required if submitted later than the appropriate 20 or 30 months from the priority date.
- ☐ The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917.
- ☒ d. Surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)).
4. Additional claim fees of \$_____ as a ☐ large entity ☐ small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due (37 CFR 1.492(g)). See attached PTO-875.
5. ☐ Applicant has not submitted the required sequence listing pursuant to 37 CFR 1.821-1.825. See attached PCT/DO/EO/920.

ALL OF THE ITEMS SET FORTH IN 3(a)-3(d), 4 AND 5 ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 22 OR 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

6. If box 3a or 3c is checked, a translation of the Annexes **MUST** be submitted no later than the time period set above or the Annexes will be cancelled. A processing fee will be required if submitted later than 20 or 30 months from the priority date.
7. ☐ The Article 19 amendments are cancelled since a translation was not provided by the appropriate 20 (37 CFR 1.494(d)) or 30 (37 CFR 1.495(d)) months from the priority date.

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above. (37 CFR 1.5)

A copy of this notice MUST be returned with this response.

Enclosed: ☐ PCT/DO/EO/917 ☐ Notice of Defective Translation
☐ PTO-875 ☐ PCT/DO/EO/920

COTTMAN, DARRELL C.

HORST M. KASPER, Ph.D.
13 FOREST DR.
WARREN, NJ 07059-5832

55-194/212
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DATE MARCH 14, 2001


NOX. COMMISSIONER OF PATENTS & TRADEMARKS

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MEMO *SN: 09/786,072 WEH204 DATH*

Horst M. Kasper 

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SAFETY PAPER

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Thomas Koehler
Serial No: 09/786,072 Filing Date:
Title: REACTION CHAMBERS COATED WITH DEFINED
CONCENTRATIONS OF NUCLEIC ACIDS, METHOD FOR THE
PRODUCTION AND USE THEREOF

March 14, 2001

Attorney's Docket No.: WEH204

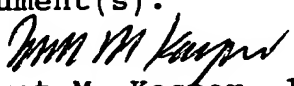
TRANSMITTAL LETTER

Hon. Commissioner of Patents and Trademarks
BOX PCT
Washington, D.C. 20231

SIR:

Transmitted herewith for filing is:

- (X) Form PTO-1390
 - (X) Declaration and Power of Attorney for Patent Application
 - (X) Certificate of Accuracy of Translation
 - (X) Request to Accept Submission of Inventor Declaration for Patent Application
 - (X) Associate Power of Attorney
 - (X) Applicant claims Small Entity Status
 - (X) Enclosed is a check to cover the fee in the amount of \$65.00.
 - (X) The applicant hereby petitions the Commissioner of Patents and Trademarks to extend the time for response to any Office Action outstanding in the above captioned matter as necessary to avoid abandonment of the application. Please charge my deposit account No.11-0224 in the amount required to cover the cost of the extension. Any deficiency or overpayment should be charged or credited to the above account.
 - (X) The Commissioner is hereby authorized to charge any fees under 35 U.S.C. 1.16, and 1.17, after a mailing of a Notice of Allowance under 35 USC 1.18 or any additional fees which may be required during the entire pendency of the application, or credit any overpayment, to Acct. No.11-0224. A duplicate copy of this sheet is enclosed. If and only if account funds should be insufficient, immediately contact our associate, Lisa Zumwalt, at (703)415-0579, who will pay immediately to avoid deprivation of rights.
 - () Please charge my Deposit Account No.11-0224 in the amount of \$_____. A duplicate copy of this sheet is enclosed.
- A signature or signatures required for the above recited document(s) is (are) provided herebelow. Such signature(s) also provide(s) ratification for any required signature appearing to be defective in the above recited document(s).


Horst M. Kasper, 13 Forest Drive, Warren, N.J. 07059
Reg. No. 28,559 Tel. (908) 757-2839

EXPRESS MAIL CERTIFICATION: I hereby certify that the correspondence attached hereto is being deposited with the USPS "Express Mail Post Office to Addressee" on the date indicated below and is addressed to: Commissioner of Patents and Trademarks, Washington, D.C. 20231,

Deposit Date: 03/14/2001 "Express Mail mailing No": TB417242551 US

Signature: Radosław Krzyszkowski

Date: 03/14/2001

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COPY

**POST OFFICE
TO ADDRESSEE**

Federal Agency
Account No.:

FROM: HORST A MAGRIN
PATENT ATTORNEY
13 MAGRIN DRIVE
SPRING GROVE, NY 11791-3011

Express Mail
Corporate
Account No.

FROM:

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HORST N. KAGAN
 PATIENT AT
 13 FOREST
 WARREN NJ 07059-5003

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